

FILED

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CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

MICHAEL P. JOHNSON,)

Defendant.)

INDICTMENT

JUDGE LIOI

CASE NO. **5:18 CR 52**

18 U.S.C. § 111(a)(1),(b)

18 U.S.C. § 924(c)(1)(A),(ii),(iii)

18 U.S.C. § 2119

21 U.S.C. § 841(a)(1),(b)(1)(B)

COUNT 1

(Possession with Intent to Distribute, 21, U.S.C. § 841)

The Grand Jury charges:

On or about January 2, 2018, in the Northern District of Ohio, Eastern Division, the defendant, MICHAEL JOHNSON, did knowingly and intentionally possess with the intent to distribute at least fifty (50) grams of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B)(viii).

COUNT 2

(Discharge of Firearm during Drug Trafficking Crime, 18, U.S.C. §924(c))

The Grand Jury further charges:

On or about January 2, 2018, in the Northern District of Ohio, Eastern Division, the defendant, MICHAEL JOHNSON, did knowingly use, carry and discharge a firearm, that is a Smith and Wesson, Special Model 10, .38 caliber revolver, bearing serial number C515555, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, Possession with the Intent to Distribute at least fifty (50) grams of a mixture and substance containing a detectable amount of Methamphetamine, a schedule II controlled substance, as charged in Count One, in violation of Title 18, United States Code, Section 924(c)(1)(A)(iii).

COUNT 3

(Assault of Law Enforcement Officers with Deadly Weapon, 18, U.S.C. §111)

The Grand Jury further charges:

On or about January 2, 2018, in the Northern District of Ohio, Eastern Division, the defendant, MICHAEL JOHNSON, knowingly and intentionally, forcibly assaulted, resisted, opposed, impeded, and interfered with law enforcement officers who were assisting United States law enforcement officers as designated in Title 18, United States Code, Section 1114, while those law enforcement officers were engaged in and on account of their performance of their official duties, said act involving the use of a deadly or dangerous weapon, in violation of Title 18, United States Code, Sections 111(a)(1) and 111(b).

COUNT 4

(Discharge of Firearm During Crime of Violence, 18, U.S.C. §924(c))

The Grand Jury Further Charges:

On or about January 2, 2018, in the Northern District of Ohio, Eastern Division, the defendant, MICHAEL JOHNSON, did knowingly use, carry and discharge a firearm, that is a Smith and Wesson, Special Model 10, .38 caliber revolver, bearing serial number C515555, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, Assault of Law Enforcement Officers Assisting Federal Law Enforcement Officers, as charged in Count Three, in violation of Title 18, United States Code, Section 924(c)(1)(A)(iii).

COUNT 5

(Attempted Carjacking, 18, U.S.C. §2119)

The Grand Jury further charges:

On or about January 2, 2018, in the Northern District of Ohio, Eastern Division, the defendant, MICHAEL JOHNSON, attempted to take a motor vehicle, specifically, a 2009 Kia Sportage, that had been transported, shipped, and received in interstate and foreign commerce from N.P., a person, by force, violence, and intimidation, with the intent to cause death and serious bodily harm, in violation of Title 18, United States Code, Section 2119.

COUNT 6

(Brandishing Firearm During Crime of Violence, 18, U.S.C. §924(c))

The Grand Jury further charges:

On or about January 2, 2018, in the Northern District of Ohio, Eastern Division, the defendant, MICHAEL JOHNSON, did knowingly use, carry and brandish a firearm, that is a Smith and Wesson, Special Model 10, .38 caliber revolver, bearing serial number C515555, during and in relation to a crime of violence for which he may be prosecuted in a court of the

United States, that is, carjacking, as charged in Count Five, in violation of Title 18, United States Code, Section 924(c)(1)(A)(ii).

COUNT 7

(Attempted Carjacking, 18, U.S.C. §2119)

The Grand Jury further charges:

On or about January 2, 2018, in the Northern District of Ohio, Eastern Division, On or about January 2, 2018, in the Northern District of Ohio, Eastern Division, the defendant, MICHAEL JOHNSON, attempted to take a motor vehicle, specifically, a 2002 Toyota Camry, that had been transported, shipped, and received in interstate and foreign commerce from M.M., a person, by force, violence, and intimidation, with the intent to cause death and serious bodily harm, in violation of Title 18, United States Code, Section 2119.

COUNT 8

(Possession with Intent to Distribute, 21, U.S.C. §841)

The Grand Jury further charges:

On or about September 24, 2017, in the Northern District of Ohio, Eastern Division, the defendant, MICHAEL JOHNSON, did knowingly and intentionally possess with the intent to distribute at least fifty (50) grams of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B)(viii).

FORFEITURE

The Grand Jury further charges:

The allegations of Counts 1 through 4, 6, and 8, are hereby realleged and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 853, Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), and Title 21, United States Code, Section, 981(a)(1)(C) and Title 28, United

States Code, Section 2461(c). As a result of the foregoing offenses, Defendant, MICHAEL JOHNSON shall forfeit the following to the United States:

All property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of the violation charged in Counts 1 and 8; and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violation charged in Counts 1 and 8;

All property, real and personal, which constitutes or is derived from proceeds traceable to the violations charged in Count 3;

All property (including firearms and ammunition) involved in or used in the commission of the violations charged in Counts 2, 4, and 6.

including, but not limited to, the following:

- a. Smith and Wesson, Special Model 10, .38 caliber revolver, bearing serial number C515555;
- b. \$3,905.00 in U.S. Currency;
- c. \$3,602.00 in U.S. Currency; and,
- d. 1,165.00 in U.S. Currency.

A TRUE BILL.

Original document - - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.